



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2018-74

Date: June 20, 2018

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 70 Inner Belt Road

Applicant / Owner Name: CRP 70 Innerbelt, LLC

Applicant / Owner Address: 1001 17th Street, Suite 500, Denver, CO 80202

Agent Name: Justin Adams, Bloom Energy

Agent Address: 1299 Orleans Drive, Sunnyvale, CA 94089

Alderman: Matthew McLaughlin

Legal Notice: Applicant/Owner, CoreSite Real Estate 70 Innerbelt, LLC, seeks a special permit to revise the site plan and conditions of a previously approved permit (ZBA 2007-63-R3 (2/2016)) to modify the site design/layout by adding new mechanical equipment (fuel cells) to the site. IA Zone. Ward 1.

Dates of Public Hearing: Zoning Board of Appeals – June 20, 2018

I. PROJECT DESCRIPTION

1. Subject Property:

The site is located in southeastern Somerville in the Inner Belt industrial district. The subject property has an area of 321,424± square feet and is zoned Industrial A (IA). There is an existing two-story, 40' high masonry building containing 279,522 gross square feet. The footprint of the building is approximately 134,471 square



feet. Originally built as warehouse space, the ZBA granted a Special Permit with Site Plan Review (SPSR) (ZBA 1999-17) to allow 119,000 square feet of the site to be used for light industrial and office use and to provide 92 additional parking spaces in 1999. The site is landscaped with grass and a variety of understory trees in accordance with the 1999 SPSR approved plan.

In December of 2007, the Applicant received a SPSR (ZBA 2007-63) under SZO §7.11.15.1.c for the expansion of an existing 22,667 square foot Co-Location Data Center use within the second floor for a total of 61,436 square feet. In March of 2008, the Applicant received a revision (ZBA 2007-63-R0308) for an additional 3,793 square feet for electrical/mechanical space within the existing first floor as part of the data facility, bringing the existing use to a total of 65,229 square feet.

In September of 2008, the Applicant received a revision to the SPSR (ZBA 2007-63-R0808) to add 141,252 additional square feet of the data center use (including support areas such as offices and conference rooms within the mezzanine). With the new tenant fit-out, the entire building area would be permitted for the data center use. The approval included adding nine large pieces of additional machinery next to existing generators and permanent utility trailers to support the expansion of the existing use. The approval also included reducing the number of parking spaces at the site, adding and modifying landscaping, screening existing generators, and altering signage and the façade.

In April of 2010 the Applicant received administrative approval to make minor changes to the site plan and elevations and divide the site work up into two phases.

In September of 2011 the Applicant received another revision to the SPSR (ZBA 2007-63-R2-8/2011) to expand upon the exterior improvements that were previously approved to substantially renovate the building façade. A metal panel system would be applied to much of the Inner Belt Road and Third Avenue facades and a narrow metal band would continue along the top of the two other sides of the building that are not very visible. The existing brick that is exposed will be painted a gray color to complement the metal panel color. A different color metal panel will be applied between the windows and in a regular rectangular pattern to break up the long façade. Shade devices will project out from the windows and the long rectangular panels to add some depth and interest to the building. The blue pole-like structural element at the front entrance will be removed. A flat canopy will be added to the front entrance and the wall-like entrance structure will be attached with perforated metal to the façade of the building so that it does not appear to be floating. Translucent glass will be installed in the openings of the front entrance structure and the glass will be back lit. The façade changes have not yet been implemented.

In March of 2016, the Applicant received a third revision to the SPSR (ZBA 2007-63-R3-2/2016) to alter the site plan for mechanical equipment in the form of a 14'-8" generator with a buffer of evergreen trees and fencing.

2. Proposal: The current proposal is to alter the site plan to install additional mechanical equipment to the site. The proposed equipment would be multiple fuel cells and generators that will be located along the side and rear of the site near other mechanical equipment and the loading area.
3. Green Building Practices: The proposed fuel cells would deliver clean power to reduce emissions and energy costs for the existing data center use. They will have exhaust emissions; however, they are designed to meet the requirements of the Massachusetts Department of Environmental Protection Air Pollution Control regulation.
4. Comments:

Ward Alderman: Alderman McLaughlin has been informed of the proposal and has no objections to the proposal.

II. FINDINGS FOR SPECIAL PERMIT (SZO §5.3.8):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. Information Supplied:

The Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

2. Compliance with Standards: *The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."*

Revisions to Special Permits may be sought before the final Certificate of Occupancy is issued for a project that received a special permit. The final Certificate of Occupancy was issued in April of 2018. The proposed revision is not deemed de minimis because the changes would be noticeable to persons generally familiar with the plans.

Per SZO §5.3.8, revisions that are not de minimis are subject to the full notice and hearing provisions of the Somerville Zoning Ordinance.

3. Consistency with Purposes: *The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."*

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promote the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to protect health; to secure safety from fire, panic and other dangers; to conserve the value of land and buildings; to adequately protect the natural environment; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the IA district, which is, "to establish and preserve areas for industrial and related uses which are not incompatible with commercial uses; uses which are most appropriately located as neighbors of industrial uses including living and studio space for artists; and uses which are necessary to service the immediate needs of industrial establishments in those areas, and accessory uses to industrial uses such as day care centers, cafeterias, health facilities, and the like."

4. Site and Area Compatibility: *The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."*

The surrounding area is industrial in nature and the mechanical equipment will not be detrimental to the existing neighborhood. On the other hand, the Inner Belt neighborhood is an area that is marked as an area to transform in SomerVision and new development should be designed with future change in mind.

The location of the proposed equipment is in the back corner of the site. It is proposed to be screened with an 8’ tall chain link fence with privacy slats along the rear and side of the site but will have bollards along the interior of the site to respect an existing electrical easement. Staff recommends a condition that the fence material be wood and that it surround the entire mechanical installation with the exception of a gate to allow the utility company access to the easement. The height of the fence should be allowed as part of this special permit revision per SZO §10.7.1 since this is an industrial neighborhood and there are no residential abutters that will be impacted by the proposal. The fence would be setback from the street and will serve a security purpose.

Other mechanical equipment on the site was screened in the past with arborvitae to soften the edge of this equipment area and unfortunately they are struggling to survive. Staff recommends a condition that the dead plants shall be replaced.

There is no parking requirement for a data center; therefore, the parking requirement for this facility falls under SZO §9.5.16 for all other permitted uses. It requires 1 per employee and 0.3 per visitor. At full occupancy the site is planned to have 150 employees with a maximum of 50 visitors at any time. The proposal will result in a net loss of nine parking spaces for a total of 206 parking spaces. However, the site, even at full occupancy, will only require 172 spaces.

III. RECOMMENDATION

Special Permit under §5.3.8

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
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1	Approval is for the installation of mechanical equipment. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.							
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>May 17, 2018</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>February 13, 2018</td> <td>Modified plans submitted to OSPCD (G0.1, G1.1, G1.3, G1.2, C1.1, C1.2, and R0.1)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	May 17, 2018	Initial application submitted to the City Clerk's Office	February 13, 2018	Modified plans submitted to OSPCD (G0.1, G1.1, G1.3, G1.2, C1.1, C1.2, and R0.1)
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Any changes to the approved site plan that are not <i>de minimis</i> must receive SPGA approval.										
Construction Impacts										
2	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Plng.							
3	The Applicant shall at their expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, landscaping, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	CO	DPW							
4	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P							
Site										
5	Landscaping shall be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD							
6	Any dying/dead plants shall be replaced. Specifically, the arborvitae shrubs around the large generator shall be replaced with at least 3" caliper evergreens.	Perpetual	Plng. / ISD							
7	The proposed new fencing surrounding the entire area of the proposed mechanical equipment shall of a wood material to be reviewed and approved by Planning Staff.	CO	Plng. / ISD							
8	If swing gates at the entrances and exits of the site are included in the final design, these facilities will require approval by the Planning Staff as well as the Fire Prevention Bureau.	BP	PLNG/ FP							
8	<i>De minimis</i> changes to the building and site will be subject to Planning Staff review and approval; and it is further recommended that Planning Staff review and approval be required for subsequent additional signage.	BP/CO/ Perpetual	PLNG							
9	Planning Staff approval will be required for the final landscaping plan and plant list; additional trees along the Third Avenue frontage are encouraged.	CO	PLNG							

11	Lighting design shall limit light trespass, sky-lighting, and glare from the site.	BP/CO/ Perpetual	ISD/ PLNG	
12	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final sign-off on the building permit to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	CO	PLNG.	

